

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 24-cr-227 (PJS/TNL)

Plaintiff,

v.

ORDER

Octavion Rayshaw Jones,

Defendant.

This matter comes before the Court on Defendant Octavion Rayshaw Jones's Motion for Continuance of Motion Hearing and Motion Filing Deadline, ECF No. 22. Defendant also filed a Statement of Facts in Support of Second Motion for Continuance and to Exclude Time, ECF No. 23.

Defendant requests at least a 30-day extension of the motions filing deadline and corresponding hearing date because Defendant had not yet received the discovery materials that were mailed to him. ECF No. 22 at 1. Because of this delay he has been unable to adequately discuss his case with his counsel. *Id.* Several other issues involving Defendant's state cases also warrant the need for additional time to determine how to proceed in this matter. *Id.* at 1-2. Defendant also requests the Court to exclude the period of continuance from the Speedy Trial Act computations. *Id.* at 2; ECF No. 23. The Government does not oppose Defendant's continuance request. ECF No. 22.

Although Defendant only requests at least a 30-day extension, the Court finds good cause to extend the motions filing deadline and corresponding hearing date by 60 days.

And pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy trial, and such continuance is necessary to provide the parties and their counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion for Continuance of Motion Hearing and Motion Filing Deadline, ECF No. 22, is **GRANTED**.
2. The period of time from **the date of this Order through December 2, 2024**, shall be excluded from Speedy Trial Act computations in this case.
3. All motions in the above-entitled case shall be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **December 2, 2024**. D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses shall be delivered directly to the chambers of Magistrate Judge Tony N. Leung.
4. **Counsel shall electronically file a letter on or before December 2, 2024, if no motions will be filed and there is no need for a hearing.**
5. All responses to motions shall be filed by **December 16, 2024**. D. Minn. LR 12.1(c)(2).
6. Any Notice of Intent to Call Witnesses shall be filed by **December 16, 2024**. D. Minn. LR 12.1(c)(3)(A).
7. Any Responsive Notice of Intent to Call Witnesses shall be filed by **December 19, 2024**. D. Minn. LR 12.1(c)(3)(B).

8. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures, and a defendant pleads particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

9. If required and subject to further order of the Court, the motions hearing shall be heard before Magistrate Judge Tony N. Leung on **December 23, 2024, at 10:00 a.m.**, in **Courtroom 9W**, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota 55415. D. Minn. LR 12.1(d).

10. **TRIAL:**

a. **IF NO PRETRIAL MOTIONS ARE FILED BY DEFENDANT:**

the following trial and trial-related dates are:

Trial briefs, voir dire questions, proposed jury instructions, and trial-related motions (including motions in limine) must be submitted to Chief Judge Schiltz's chambers on or before ***a date to be determined***. Responses to trial-related motions (including motions in limine) must be submitted on or before ***a date to be determined***.

A pretrial conference will be held on ***a date to be determined*** in Courtroom 15, Minneapolis, before Chief Judge Patrick J. Schiltz. The government must submit its lists of prospective witnesses and prospective exhibits at this conference.

This case is scheduled for trial before Chief Judge Patrick J. Schiltz on *a date to be determined*, in **Courtroom 15**, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota.

b. **IF PRETRIAL MOTIONS ARE FILED**, the trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for Chief Judge Schiltz to confirm the new trial date.

Dated: October 2, 2024

s/ Tony N. Leung

Tony N. Leung
United States Magistrate Judge
District of Minnesota

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